

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DYAMONE WHITE, et al.,

PLAINTIFFS

VS.

Civil Action No. 4:22-cv-00062-SA-JMV

**STATE BOARD OF ELECTION
COMMISSIONERS, et al.,**

DEFENDANTS

PLAINTIFFS' UNOPPOSED MOTION FOR A CONTINUANCE

COME NOW the Plaintiffs, Dyamone White, Derrick Simmons, Ty Pinkins, and Constance Olivia Slaughter Harvey-Burwell ("Plaintiffs"), by and through counsel, and file this motion for a continuance and extension of deadlines, pursuant to Fed. R. Civ. P. 16(4) and this Court's Order of April 14, 2023 [Dkt. #140] (the "April 14 Order"), and in support thereof would show the Court the following:

1. Plaintiffs seek a continuance of certain deadlines in this case, including the close of discovery, the deadline for dispositive and *Daubert* motions, and, if necessary, the December 4, 2023 trial date. Defendants do not oppose the granting of such a continuance, subject to the understanding that any extension of the discovery deadline will only permit discovery relevant to expert witness rebuttal/surrebuttal issues made the subject of the Court's April 14 Order and that discovery will not be reopened generally.
2. The continuance is requested pursuant to and in compliance with the Court's April 14 Order, denying the Defendants' motion to strike upon satisfaction of conditions,

in order to allow sufficient time for Defendants to serve certain sur-rebuttal reports as contemplated in the April 14 Order.

3. Plaintiffs further hereby represent and stipulate, pursuant to and in compliance with the terms of the April 14 Order, that they will be responsible for reasonable expert fees and costs actually incurred in preparing such sur-rebuttal reports.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that the Court grant Plaintiffs' motion and any other relief as may be just and proper.

THIS the 26th day of April, 2023.

Respectfully submitted,

/s/ Joshua Tom

AMERICAN CIVIL LIBERTIES UNION
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